

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA)	
)	
)	No. 2:19-cr-00013
v.)	
)	Chief Judge Crenshaw
)	
GEORGIANNA A.M. GIAMPIETRO)	

**GOVERNMENT’S NOTICE REGARDING INTERPRETER FOR
OCTOBER 6, 2021, HEARING**

The United States of America, through Mary Jane Stewart, Acting United States Attorney for the Middle District of Tennessee, by and through Assistant United States Attorneys Kathryn Risinger and Philip Wehby, and the Chief of the Counterterrorism Section of the National Security Division, United States Department of Justice, by and through Trial Attorney Jennifer E. Levy, hereby files this Notice Regarding the Interpreter for the Hearing on October 6, 2021, involving “the Sheikh.” In support thereof, the Government states the following:

1. The parties are currently scheduled to have a hearing involving “the Sheikh” on October 6, 2021. “The Sheikh” has a limited understanding of and ability to speak English; Arabic is his native language. Indeed, in a recent conversation with “the Sheikh,” the Government utilized an FBI Arabic linguist during portions of the conversation to ensure accurate communications.

2. Because this is a legal proceeding in which “the Sheikh” will be testifying under oath, the Government believes an interpreter is necessary for the hearing. *See* 28 U.S.C. § 1827 (Court Interpreters Act).

3. “Once a district court decides to use an interpreter, it is obligated to use a certified interpreter, unless a certified interpreter is not reasonably available, in which case another qualified interpreter is to be appointed. 28 U.S.C. §1827(d)(1).” *United States v. Gonzales*, 339 F.3d 725, 728 (8th Cir. 2003).

4. Per the United States Courts' Interpreter website, to date, certification programs have been developed for Spanish, Navajo and Haitian Creole.

For other languages, individuals may contact local federal courts to determine if that court has a need for the language of expertise. The local federal court will determine on a case-by-case basis whether the prospective interpreter is either professionally qualified or language skilled. In languages other than Spanish, Navajo and Haitian-Creole, interpreters are designated as: professionally qualified¹ and language skilled.²

See www.uscourts.gov/services-forms/federal-court-interpreters/interpreter-categories.

5. In anticipation of the October 6, 2021, hearing, the Government has secured the services of Hebba Abulsaad ("Abulsaad"). Abulsaad is a native Arabic speaker and has been certified as an Arabic interpreter in the following state courts: Tennessee, Washington, Illinois, Georgia, Indiana, Mississippi, and Ohio. Attached as Exhibits A and B, respectively, are copies of her Tennessee and Washington certifications.³

6. The Government provided contact information for Abulsaad to defense counsel in preparation for the hearing involving "the Sheikh." Defense counsel conducted their own due

¹ The category of professionally qualified (P.Q.) interpreters applies to all languages, except those for which the AO has certified interpreters (Spanish, Navajo, and Haitian Creole). Credentials for professionally qualified interpreters require sufficient documentation and authentication, and must meet the criteria in one of the following:

1. Passed the U.S. Department of State conference or seminar interpreter test in a language pair that includes English and the target language. The U.S. Department of State's escort interpreter test is not accepted as qualifying.
2. Passed the interpreter test of the United Nations in a language pair that includes English and the target language.
3. Is a current member in good standing of:
 - the Association Internationale des Interprètes de Conférence (AIIC); or
 - The American Association of Language Specialists (TAALS). The language pair of the membership qualification must be English and the target language.

See www.uscourts.gov/services-forms/federal-court-interpreters/interpreter-categories.

² An Interpreter who does not qualify as a professionally qualified interpreter, but who can demonstrate to the satisfaction of the court the ability to interpret court proceedings from English to a designated language and from that language into English, will be classified as a language skilled/*ad hoc* interpreter. *See* www.uscourts.gov/services-forms/federal-court-interpreters/interpreter-categories.

³ Her Tennessee and Washington state certifications reflect a slightly different spelling of her name.

diligence regarding Abulsaad and has reported to the Government that they have no objection to the use of Abulsaad at the hearing and believe her to be sufficiently qualified to act as an interpreter in this case.

7. Accordingly, Abulsaad will be present on Wednesday, October 6, 2021, for the hearing involving “the Sheikh” and will be ready to answer any questions the Court deems necessary in order to exercise its due diligence to find that Abulsaad is sufficiently qualified to act as an interpreter in this case.

CONCLUSION

The Government hereby requests the Court take notice of the foregoing information in preparation for the hearing involving “the Sheikh” currently scheduled for October 6, 2021, at 9:00 a.m.

Respectfully Submitted,

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Middle District of Tennessee

By: /s/ Kathryn Risinger
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CERTIFICATE OF SERVICE

I hereby certify that on October 1, 2021, I electronically filed one copy of the foregoing document with the Clerk of the Court by using the CM/ECF system, which will send a Notice of Electronic Filing to counsel for defendant in this case.

/s/ Kathryn D. Risinger

KATHRYN D. RISINGER

Assistant United States Attorney